

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 28-44 are pending in the instant application. Claims 1-27 finally rejected in the last Office Action have been cancelled. Claims 28-44 have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

Applicant respectfully submit that the new claims are patentable over the applied references.

The Examiner acknowledges that the Alain reference (FR 2,653,809) does not disclose forging dies having a relief channel. The Examiner goes on to assert that one skilled in the art would combine Alain and Camping (US 5,799,528) because, according to the Examiner, Camping discloses a relief channel at reference numeral 39.

Applicants respectfully disagree because a person of ordinary skill in the art would not have been motivated to combine the reference in the manner suggested by the Examiner. The references also fail to disclose, teach or suggest all limitations of new independent claims 28 and 41.

Reference numeral 39 of Camping refers to gripping teeth. *See* column 4, line 61 of Camping. These teeth bite into the workpiece (pre-heated protruding end of the reinforcement bar). *See* column 6, lines 45-49. These teeth prevent any sliding movement of the housing (for articulated clamping jaws 3 8). Thus the Camping teeth are merely for gripping, they do not provide "flow channels" for metal of the workpiece. Indeed, the Camping teeth 39 prevent such flow as providing obstacles to that flow. Any skilled person confronted with Alain would not think of Camping, such a notional combination would not work to provide for stress alleviation of the workpiece during a forging or upsetting operation, as now recited in claims 28 and 41.

Moreover, Camping is for hot forging, whereas the invention of the subject application is for cold forging, a quite different concept.

In addition, Alain and Camping, singly or in combination, do not disclose or hint at either adjustment of the distance of projection of the projecting part beyond the second die part, as now

recited in claim 28, or the provision of a uniform forging pressure for any diameter of workpiece during cold forging, as now recited in claims 28 and 41.

Accordingly, new independent claims 28 and 41 are clearly patentable over the applied references. Claims 29-40 and 42-44 are patentable at least by virtue of their dependency on claim 28 or 41.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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